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August 4, 2015

BY ELECTRONIC MAIL

The Honorable Richard J. Sullivan  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 2104  
Courtroom 905  
New York, NY 10007  
SullivanNYSDCChambers@nysd.uscourts.gov

**Re: *Suazo v. Martinson, et al*, Case No. 1:15-cv-04885 (RJS)**

Dear Judge Sullivan:

We have just been engaged to represent two of the defendants, Jonathan Martin and Smoke & Mirrors Collaborative, who are also cross-claim defendants, in the above-captioned case. We are writing to respectfully request that the Court grant an extension of time, to August 22, 2015, for our clients to appear, answer, move or otherwise respond to the Complaint, which was filed by plaintiff Ivan Suazo on June 24, 2015, as well as the cross-claims filed against our clients by co-defendant 59E59. Counsel for both plaintiff Suazo and cross-claimant 59E59 have graciously consented to our request for an extension.

We learned of this case through the non-profit organization, Volunteer Lawyers for the Arts. On July 24, 2015, the Pro Bono Committee of our firm authorized us to represent Mr. Martin and Smoke & Mirrors Collaborative. On July 28, 2015, we spoke with Mr. Martin about the terms of our firm's representation of both him and Smoke & Mirrors Collaborative. That afternoon, Smoke & Mirrors Collaborative and Mr. Martin executed a letter engaging our firm to represent them.

The current dates for our clients to file responsive pleadings to the Complaint and the cross-claims is August 15, 2015, and August 11, 2015, respectively. Given, however, that we have only just been engaged to represent them and in light of the time needed to prepare their responsive pleadings, we contacted plaintiff's counsel, Shana Fried, Esq., of The Fried Firm PLLC, on July 30, 2015, and counsel for the counter-claimant, Cheryl L. Davis, Esq., of Menaker & Herrmann LLP, on August 1, 2015, to seek an extension of the filing deadlines. On July 31, 2015, plaintiff Suazo consented to that request and cross-

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claimant 59E59 did so on August 3, 2015. Prior to engaging our firm, our clients had previously requested, and were granted, one extension of time to respond (to August 15, 2015) by plaintiff Suazo.

We do not represent the remaining co-defendant, Zoey Martinson, in this matter. We understand, however, that she currently is seeking counsel to represent her. For the sake of efficiency and to allow for coordination among Ms. Martinson and our clients, we respectfully request that the Court also grant her an extension of time, to August 22, 2015. The cross-claimant consented on August 3, 2015, to our request that the time be extended to that date for Ms. Martinson to respond. Plaintiff declined to do so.

Respectfully submitted,

DEBEVOISE & PLIMPTON LLP

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cc: Counsel of Record (via e-mail)